

5
2/12IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2/12

Docket No.
027171/014
MWS:BST

Applicants : Uri Rosenschein et al.

Serial No. : 09/939,289 Art Unit: 3737

Filed : *RECEIVED* September 29, 1997 Examiner: R. Smith

For FEB 12 1999 : LYSIS METHOD AND APPARATUS

February 12, 1999

SUPPLEMENTAL ELECTION AND RESPONSE TO RESTRICTION REQUIREMENT

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

In response to the Office Action dated September 28, 1998, and supplementing our Election dated January 28, 1999, Applicants elect to prosecute without traverse Group I. In addition, in the event that a generic method claim is not finally held allowable, Applicants elect the species of Group I relating to invasive delivery of therapeutic ultrasound into the body. Applicants identify claims 1, 2, 4, and 18-37 as readable on the species relating to invasive ultrasound delivery.

As was stated in the prior Election, Applicants expressly reserve the right to later file divisional applications directed to Group II, which are not elected for continued prosecution on the merits at this time, and to the species of Group I relating to non-invasive delivery of therapeutic ultrasound into the body, should a claim generic to both invasive and non-invasive ultrasound be held not allowable.

Certificate of Transmission (37 C.F.R. 1.8)

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office Fax No. 703-308-3063 on February 12, 1999.
Typed or printed name of person signing this certificate:

Brian S. Temko

Signature: Brian S. Temko

Early and favorable action on the merits of the elected embodiment is earnestly solicited.

Respectfully submitted,

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